

PATENT
2345/112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : H. HENKEL
International Application No. : PCT/EP98/03747
International Filing Date : 19 June 1998
U.S. Serial No. : 09/462,017
For : PROCESS AND SYSTEM FOR
CONTROLLING THE USE OF
SATELLITE TRANSMISSION CAPACITY
IN TERRESTRIAL NETWORKS

Assistant Commissioner
for Patents
Box PCT
Washington, D.C. 20231

Attention: DO/EO/US

RESPONSE TO MISSING REQUIREMENTS
UNDER 35 U.S.C. 371

S I R :

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (mailed March 1, 2000), Applicant submits herewith a fully executed Declaration in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. The application filed in the Patent Office is the application which the inventor executed by signing the Declaration and Power of Attorney. Copies of the Notification of Missing Requirements and Notification of a Defective Oath or Declaration are also enclosed.

The Office is authorized to charge the \$130.00 fee to cover the surcharge for late filing of the Declaration to Deposit Account No. 11-0600.


Exp. Mail EL23441411US

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The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-0600. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
KENYON & KENYON

Date: *hmc*, 2000

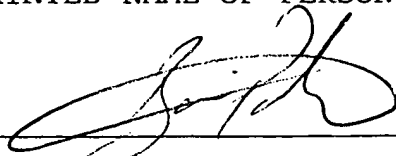

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EXPRESS MAIL CERTIFICATE"EXPRESS MAIL" MAILING LABEL NUMBER E42344141145DATE OF DEPOSIT 3/30/00TYPE OF DOCUMENT Decl, POA & AssignSERIAL NO. 09/462017 FILING DATE Renew with

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE, BY BEING HANDED TO A POSTAL CLERK OR BY BEING PLACED IN THE EXPRESS MAIL BOX BEFORE THE POSTED DATE OF THE LAST PICK UP, AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

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09/462,017
09/462017

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H

2345/112

U.S. APPLICATION NO.

KENYON & KENYON
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NEW YORK NY 10004

FIRST NAMED APPLICANT

5071

ATTY. DOCKET NO.

PCT/EP98/03747

INTERNATIONAL APPLICATION NO.

I.A. FILING DATE

PRIORITY DATE

DATE MAILED:

03/01/00

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.☒ Copy of the international application in:

- ☒ a non-English language.
☐ English.

☒ Translation of the international application into English.☒ Oath or Declaration of inventor(s) for DO/EO/US.☐ Copy of Article 19 amendments.☐ Translation of Article 19 amendments into English.☒ The International Preliminary Examination Report in English and its Annexes, if any.☒ Translation of Annexes to the International Preliminary Examination Report into English.☒ Preliminary amendment(s) filed 30 Dec 99 and☒ Information Disclosure Statement(s) filed 30 Dec 99 and☐ Assignment document.☐ Power of Attorney and/or Change of Address.☐ Substitute specification filed☐ Verified Statement Claiming Small Entity Status.☒ Priority Document.☒ Copy of the International Search Report ☒ and copies of the references cited therein.☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$_____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

☒ PCT/DO/EO/917☐ Notice of Defective Translation☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

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